THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.No.21250 of 1996

Dated:19-12-2006

BETWEEN:

Sri Pattabhirama Co-operative Collective Farming Society,

Patha Gannavaram, Kothapeta Mandal, East Godavari District,

rep. by its President K.Mustiyya.

Petitioner

And

The District Collector, Kakinada, East Godavari District and two others.

Respondents

THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.No.21250 of 1996

ORDER:

1. This writ petition has been instituted by the petitioner society aggrieved by the action of the Mandal Revenue Officer, P.Gannavaram, East Godavari District in not renewing the leasehold rights granted in their favour over the lands of extent of Ac.13.70 cents situated in various survey numbers forming part of Y.Kothapalli Village. It is not in dispute that some of the eligible members have pooled their resources together and formed the writ petitioner Cooperative Collective Farming Society and approached the District Revenue Administration for grant of leasehold

rights for cultivating the lanka lands. Upon consideration of their claims during the year 1976-77, the then Tahesildar of Kothapeta has granted lease pattas of the lanka lands over an extent of Ac.13.70 cents situated in Y.Kothapalli village in P.Gannavaram Mandal. Suspecting that the members of the writ petitioner society have not brought the lands under cultivation personally and on the other hand they entered into an arrangement of a sub-lease with another individual, the leasehold rights in favour of the Society have not been renewed. But the counter affidavit would disclose that a meeting has been convened by the Mandal Revenue Officer at P.Gannavaram village on 18-09-1998 and after holding discussions, apart from the writ petitioner society, with two more such societies, it has been ultimately decided that the leasehold rights over the lands situated in Y.Kothapalli village be granted in favour of Sri Venkaeshwara Cooperative Collective Farming Society, Y.Kothapalli village and the writ petitioner society be granted the leasehold rights over an extent of Ac.11.00 of land situated at Jillella lanka. The writ petitioner society has also been handed over the physical possession of the alternative land as mentioned supra on 17-11-1998, as desired by the members of the writ petitioner society. Therefore, the cause in the writ petition does not survive any longer.

3. Recording the submissions, the writ petition is dismissed. No order as to costs.

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NOOTY RAMAMOHANA RAO,J

19-12-2006

Stp